[18th September 1958

Capital Sentences.

* 269 *Q.*—Sri M. JAGANNATHAN : Will the Hon. the Minister for Home be pleased to state—

(*a*) how many cases of capital sentences have been carried out in 1956–57 and 1957–58;

(*b*) in how many cases capital sentences have been commuted by the Government in these years; and

(*c*) whether the Government have any proposal to suspend the execution of capital sentences?

The Hon. Sri M. BHAKTAVATSALAM : (*a*) 27 and 37 respectively.

(*b*) 15 and 14 respectively by the Governor of Madras and 14 and 20 respectively by the President of India.

(*c*) No, Sir.

Sri M. JAGANNATHAN : In view of the fact that several of the civilised countries of the modern world have abolished capital punishment, will this Government consider the desirability of advising the Union Government to bring in a Central Legislation for abolishing capital punishment in our country?

The Hon. Sri M. BHAKTAVATSALAM : Sir, I do not have statistics with me as to the civilised countries that have abolished capital punishment. We must be guided in these matters by our own experience and by our own needs. In spite of the capital punishment being on the Statute Book, murders are committed and in spite of the fact that people are afraid of capital punishment and want to avoid it by invariably applying for mercy, still murders are committed. Therefore, this Government do not think it advisable in the interest of the safety of the people to abolish capital punishment.

Sri A. A. RASHEED : Sir, what is the number of death sentences that have been recommended for mercy by the Judges?

The Hon. Sri M. BHAKTAVATSALAM : Judges do not recommend at all. They may indicate the circumstances that may be taken into account by the Government.

Sri S. LAZAR : இங்கிலாந்து தேசத்திலே மரண தண்டனையை எடுக்கும்பொழுது, நிரபராதிகள்கூட ஒன்று, இரண்டு சந்தர்ப்பங்களில் குற்றவாளி என்று கருதப்பட்டு மரண தண்டனைக்குள்ளாகிறார்கள் என்ற காரணத்தை ஒட்டி, அதை எடுத்ததாகச் சொல்லப்படுகிறது. அந்த ஒரு கொள்கையை நமது சர்க்கார் அனுசரிக்க முன்வருமா ?

The Hon. Sri M. BHAKTAVATSALAM : அவ்வாறு நிரபராதிகள் மரண தண்டனைக்கு உள்ளாவார்கள் என்ற அச்சம் அரசாங்கத்திற்கு இல்லை. இங்கே நீதிமன்றங்களில் மிகுந்த நம்பிக்கை அரசாங்கத்திற்கும், மக்களுக்கும் உண்டு.